

Jul 10, 2018

SEAN F. McAVOY, CLERK

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

BRANDON S.,

Plaintiff,

v.

COMMISSIONER OF SOCIAL
SECURITY,

Defendant.

No. 4:17-CV-5211-JTR

ORDER GRANTING STIPULATED
MOTION FOR REMAND
PURSUANT TO SENTENCE FOUR
OF 42 U.S.C. § 405(g)

BEFORE THE COURT is the parties' stipulated motion to remand the above-captioned matter to the Commissioner for additional administrative proceedings pursuant to sentence four of 42 U.S.C. § 405(g). ECF No. 15. Attorney Chad Hatfield represents Plaintiff; Special Assistant United States Attorney Sarah L. Martin represents Defendant. The parties have consented to proceed before a magistrate judge. ECF No. 7. After considering the file and proposed order, **IT IS ORDERED:**

1. The parties' Stipulated Motion for Remand, **ECF No. 15**, is **GRANTED**. The above-captioned case is **REVERSED** and **REMANDED** to the Commissioner of Social Security for further administrative proceedings pursuant to sentence four of 42 U.S.C. § 405(g).

The administrative law judge (ALJ) shall hold a *de novo* hearing on remand with respect to Plaintiff's applications for Disability Insurance Benefits and Supplemental Security Income, update the record as necessary, and issue a new

1 decision. On remand, the ALJ shall: (1) reevaluate the medical opinion evidence,
2 including the opinions of Dr. Merkley, Dr. Zimmerman, and Dr. Marks; (2)
3 reweigh Plaintiff's symptom allegations; and (3) continue with the sequential
4 evaluation process, obtaining vocational expert testimony if necessary. The ALJ
5 may take any other actions necessary to develop the record, and Plaintiff may
6 submit additional evidence and present additional argument.

7 2. **Judgment shall be entered for PLAINTIFF.**

8 3. Plaintiff's Motion for Summary Judgment, **ECF No. 14**, is
9 **STRICKEN AS MOOT.**

10 4. An application for attorney fees may be filed by separate motion.

11 **IT IS SO ORDERED.** The District Court Executive is directed to enter this
12 Order, forward copies to counsel, and **CLOSE THE FILE.**

13 DATED July 10, 2018.



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A handwritten signature in black ink, consisting of a stylized 'M' followed by a horizontal line.

JOHN T. RODGERS
UNITED STATES MAGISTRATE JUDGE